

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

<b>IN RE:</b>	)	<b>MDL Docket No. 1953</b>
	)	
	)	<b>CHIEF JUDGE JAMES G. CARR</b>
	)	<b>CASE NO. 1:08-60000</b>
	)	
<b>HEPARIN PRODUCTS LIABILITY LITIGATION</b>	)	<b>ALL CASES</b>

**Amended Agreed Pretrial Order Number 5**

**SERVICE OF PROCESS**

Defendants Baxter Healthcare Corporation (“BHC”), Baxter International Inc. (“BII”), Scientific Protein Laboratories LLC (“SPL”) and Changzhou SPL Co. (“CZSPL”) have stipulated that service of process by the procedures detailed below shall be deemed proper service for purposes of Rule 4 of the Federal Rules of Civil Procedure.

**A. Service on BHC, BII, SPL and CZSPL**

Kirkland & Ellis, LLP shall accept service of process for all heparin-related case filed directly into the Court’s master docket (“In Re Heparin Products Liability Litigation,” MDL Docket No. 1953, CASE NO. 1:08-hc-60000) on behalf of Defendants BHC, BII, SPL and CZSPL pursuant to the following procedures:

A. Plaintiff(s) shall send a copy of the newly filed complaint along with a request for waiver of service under Rule 4 of the Federal Rules of Civil Procedure to Nora Shea at Kirkland & Ellis, LLP by email and by First Class Mail.

B. Nora Shea’s contact information is as follows:

Nora Shea, Senior Legal Assistant  
Kirkland & Ellis, LLP  
200 E. Randolph Drive  
Chicago, Illinois 60302  
[nshea@kirkland.com](mailto:nshea@kirkland.com)

C. Service shall be deemed effected on the day that both a copy of the complaint and a request for waiver of service is received by email. Responsive pleadings will be due in accordance with the deadlines set forth in Rule 4 of the Federal Rules of Civil Procedure or in accordance with any order of this Court.

D. Kirkland & Ellis, LLP will sign and return the request for waiver of service by email and by First Class Mail.

E. Kirkland & Ellis, LLP will not accept service for any newly filed complaint that is not filed directly into this Court's master docket or is not accompanied by a request for waiver of service.

F. While Kirkland & Ellis, LLP will accept service on behalf of Baxter International Inc. for those complaints that name it as a defendant, Baxter International Inc. is not a proper party to this litigation and it should not be named as a defendant in a proper complaint.

This the 5<sup>th</sup> day of February, 2009.

/s/ James G. Carr  
Chief Judge James G. Carr